



## 2005 SENATE BILL 647

March 1, 2006 - Introduced by Senator REYNOLDS. Referred to Joint Survey Committee on Retirement Systems.

1     **AN ACT** *to renumber and amend* 40.05 (1) (b); *to amend* 40.07 (1) and 40.07  
2           (2); and *to create* 40.05 (1) (b) 2. and 40.07 (2m) of the statutes; **relating to:**  
3           payment of required employee contributions for state elected officials and  
4           disclosure of certain records of state elected officials under the Wisconsin  
5           Retirement System.

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### ***Analysis by the Legislative Reference Bureau***

Current law permits the state under the Wisconsin Retirement System (WRS) to pay any or all of a state employee's required employee contributions. This bill prohibits the state from paying the first 1.5 percent of earnings that the state elected official must pay as required employee contributions under the WRS.

With certain exceptions, under current law, individual personal information in the records of the Department of Employee Trust Funds (DETF) may not be disclosed. This bill provides that DETF must make available for public inspection and copying records of DETF containing the name of a participant who holds or held an elective state public office, together with the amount of any retirement annuity that is paid, payable, or projected by DETF to become payable to the participant, and if the annuity is paid or being paid, the method used by DETF to calculate the amount of the annuity.

This bill will be referred to the Joint Survey Committee on Retirement Systems for a detailed analysis, which will be printed as an appendix to this bill.

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For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 40.05 (1) (b) of the statutes is renumbered 40.05 (1) (b) 1. and  
2 amended to read:

3           40.05 (1) (b) 1. ~~In~~ Subject to subd. 2., in lieu of employee payment, the employer  
4 may pay all or part of the contributions required by par. (a), but all the payments  
5 shall be available for benefit purposes to the same extent as required contributions  
6 deducted from earnings of the participating employees. Action to assume employee  
7 contributions as provided under this paragraph shall be taken at the time and in the  
8 form determined by the governing body of the participating employer. The state shall  
9 pay under this paragraph for employees who are covered by a collective bargaining  
10 agreement under subch. V of ch. 111 and for employees whose fringe benefits are  
11 determined under s. 230.12 an amount equal to 4% of the earnings paid by the state  
12 unless otherwise provided in a collective bargaining agreement under subch. V of ch.  
13 111 or unless otherwise determined under s. 230.12. The University of Wisconsin  
14 Hospitals and Clinics Authority shall pay under this paragraph for employees who  
15 are covered by a collective bargaining agreement under subch. I of ch. 111 and for  
16 employees whose fringe benefits are determined under s. 233.10 an amount equal to  
17 4% of the earnings paid by the authority unless otherwise provided in a collective  
18 bargaining agreement under subch. I of ch. 111 or unless otherwise determined  
19 under s. 233.10. The state shall pay under this paragraph for employees who are not  
20 covered by a collective bargaining agreement under subch. V of ch. 111 and for  
21 employees whose fringe benefits are not determined under s. 230.12 an amount equal

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1 to 4% of the earnings paid by the state unless a different amount is recommended by  
2 the director of the office of state employment relations and approved by the joint  
3 committee on employment relations in the manner provided for approval of changes  
4 in the compensation plan under s. 230.12 (3). The University of Wisconsin Hospitals  
5 and Clinics Authority shall pay under this paragraph for its employees who are not  
6 covered by a collective bargaining agreement under subch. I of ch. 111 an amount  
7 equal to 4% of the earnings paid by the authority unless a different amount is  
8 established by the board of directors of the authority under s. 233.10.

9 **SECTION 2.** 40.05 (1) (b) 2. of the statutes is created to read:

10 40.05 (1) (b) 2. Notwithstanding subd. 1., beginning on July 1, 2006, the state  
11 may not pay for a state elected official the first 1.5 percent of earnings that the state  
12 elected official is required to pay as contributions under par. (a).

13 **SECTION 3.** 40.07 (1) of the statutes is amended to read:

14 40.07 (1) (intro.) Notwithstanding any other statutory provision, except as  
15 provided in subs. (2) and (2m), individual personal information in the records of the  
16 department is not a public record and shall not be disclosed, unless:

17 **SECTION 4.** 40.07 (2) of the statutes is amended to read:

18 40.07 (2) ~~Notwithstanding sub. (1), medical~~ Medical records may be disclosed  
19 only when a disability application denial is appealed or under a court order duly  
20 obtained upon a showing to the court that the information is relevant to a pending  
21 court action but medical information gathered for any one of the benefit plans  
22 established under this chapter may be used by any other benefit plan established  
23 under this chapter.

24 **SECTION 5.** 40.07 (2m) of the statutes is created to read:

